

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, October 24, 2011, 5:30 p.m., regular meeting of the Board of Council Members, Mayor Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Jim Kraft, Jeff Mitchell, Clint Rux, Jennifer Slight-Hansen, and Laure Swanson. City staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, and Janel Ellingson.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Mitchell moved, Rux seconded to approve the minutes of October 17, 2011, as circulated. All voting aye, motion carried.

OPEN FORUM

No one was present. Council Member Bunsness noted that four SDSU students were present to observe the meeting.

OLD BUSINESSORDINANCE NO. 11-10-05

Dan Nelson, Midcontinent Representative, was present. Mitchell moved, Rux seconded to approve second reading and final adoption of Ordinance No. 11-10-05 renewing the Cable TV Franchise. Swanson moved, Rux seconded to amend Ordinance to include increases to 4% in January 2013 and 5% in January 2015. All voting aye, motion carried.

Upon roll call of the original motion, all voting aye, motion carried.

CONSENT CALENDAR

Mitchell moved, Agnitsch seconded to approve the following items on the consent calendar:

ACHIEVEMENT AWARD – 2011 Loss Control/Safety Achievement Award to the Employees of the City of Aberdeen by Safety Benefits Inc.

LICENSES – Home Day Care – Mandy Sutton; Taxi Cab Driver – Michaela Rose and Matthew Berry.

PLATS – 1) Mary G. Schriver Addition to the City of Aberdeen, SD; 2) Titan Subdivision in the SW ¼ of Section 15, T123N, R63W of the 5<sup>th</sup> P.M., Aberdeen, SD; 3) Homes Are Possible Eighth Subdivision in the SE ¼ of Section 23, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, SD; 4) Rolling Hills Village Seventeenth Addition in the NW ¼ of Section 14, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, SD; 5) Park Ridge Estates Sixth Addition in the NE ¼ of Section 10, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, SD; 6) Plat of Browning First Addition in the NW ¼ of Section 22, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, SD; 7) Plat of Rohr First Subdivision in the S ½ of Section 36, T124N, R64W of the 5<sup>th</sup> P.M., Brown County, SD; 8) Latt-Northwestern-Young Addition in the NW ¼ of Section 25, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, SD with stipulation that Lot 3 is rezoned to Mini-Agriculture District and petition to annex Lots 1 and 2 is submitted prior to plat being filed with the Brown County Register of Deeds Office; 9) Northwestern-Young Outlots in the W ½ of Section 25, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, SD with stipulation that petition to annex Outlots 1 and 2 is submitted prior to plat being filed with the Brown County Register of Deeds Office.

LOTTERY NOTICE – Friends Drop In Club – receive and place on file.

All voting aye, motion carried.

NEW BUSINESSRESOLUTION NO. 11-10-03R

Rux moved, Swanson seconded to approve the following Resolution No. 11-10-03R:

WHEREAS, a public hearing was held before the Planning Commission of the City

of Aberdeen, South Dakota, on October 18, 2011, at 7:00 p.m. in the Courthouse Basement in the Brown County Courthouse at 25 Market Street, Aberdeen, South Dakota, pursuant to notice of such hearing for the purpose of considering the creation of Tax Incremental District No. 15 and its proposed boundaries and;

WHEREAS, the Planning Commission of the City of Aberdeen did as its regular meeting on October 18, 2011, approve to establish the boundaries of such tax incremental district and did submit a recommendation to the City Council of the City of Aberdeen, South Dakota, recommending the creation of the said Tax Incremental District No. 15 and;

WHEREAS, the Planning Commission of the City of Aberdeen, South Dakota, at its regular meeting on October 18, 2011, held in the Courthouse Basement in the Brown County Courthouse at 25 Market Street, Aberdeen, South Dakota, did approve adoption of the Project Plan for the proposed Tax Incremental District No. 15 and did recommend to the City Council of the City of Aberdeen, South Dakota, that it approve and adopt the project plan and;

WHEREAS, such action by the Planning Commission of the City of Aberdeen was done in accordance with SDCL Chapter 11-9 and such action by the Planning Commission was done at a regular meeting of the said Planning Commission after notice properly given and after due hearing and being appropriately and properly advised;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aberdeen, South Dakota, that the boundaries of the proposed Tax Incremental District No. 15 be and the same are hereby designated as:

The W  $\frac{1}{2}$  NE  $\frac{1}{4}$  of Section 30, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota

And that specific lots to be included in said Tax Incremental District No. 15 are as set forth and identified in the Project Plan on file in the office of the City Finance Officer of the City of Aberdeen, South Dakota, located at 123 S. Lincoln Street, Aberdeen, South Dakota 57401-4215 and in the office of Planning and Zoning of the City of Aberdeen, South Dakota, located at 123 S. Lincoln Street, Aberdeen, South Dakota 57401-4215.

BE IT FURTHER RESOLVED that such Tax Incremental District No. 15 contains property not less than 25% by area of which is blighted because of faulty layout deterioration, lack of attention and general unrepaired and unattended normal wear and tear and lack of usage in relationship to size, adequacy, accessibility, and usefulness in that such area significantly and substantially impairs or arrests the solid growth of that area of the City of Aberdeen, South Dakota and constitutes an economic liability in its general present condition and use and that further, the improvement of the area is likely to enhance significantly the value of substantially all other real property within the area and immediately adjacent thereto, and if such tax incremental district is created that there is a likelihood that there will be residential homes in the proposed Tax Incremental District No. 15 enhancing the area and improving the tax base of the City of Aberdeen.

BE IT FURTHER RESOLVED that the district is hereby created with an effective date of October 24, 2011.

BE IT FURTHER RESOLVED that the district shall be named and designated as Tax Incremental District No. 15 of the City of Aberdeen, South Dakota.

BE IT FURTHER RESOLVED that the Project Plan approved by the Planning Commission of the City of Aberdeen, South Dakota, at its regular meeting held on October 18, 2011, be and the same is hereby approved and adopted and that such plan is feasible and in conformity with the master plan of the City of Aberdeen, South Dakota, a municipal corporation of the State of South Dakota.

BE IT FURTHER RESOLVED that the aggregate assessed valuation of the taxable

property in the district plus the tax incremental base of all other existing districts does not exceed 10% of the total assessed value of taxable property in the City of Aberdeen, South Dakota.

All voting aye with Mitchell and Slight-Hansen abstaining, motion carried.

#### HEARING – TRANSFERS OF ALCOHOLIC BEVERAGE LICENSES

This being the time and place set for a hearing on the transfers of alcoholic beverage licenses, recommendation for approval were received, Campbell moved, Rux seconded to approve the Transfers of Retail On-Sale Liquor and Off-Sale Package Liquor Licenses from Randy Tewksbury dba Silver Dollar Bar, 119 S. Main Street to Jondahl, Inc. dba Silver Dollar Bar, 119 S. Main Street. Motion passed by voice vote.

#### APPOINTMENT TO LIBRARY BOARD

Bunsness moved, Agnitsch seconded to appoint Maeve King to replace Kathy Stuck on the City Library Board for a 3-year term ending June 30, 2014. All voting aye, motion carried.

#### QUOTES FOR LIME SLUDGE REMOVAL

Mitchell moved, Bunsness seconded to accept the quote from B & B Contracting for the Water Treatment Lime Sludge Removal Project. A detailed list of quotes received is on file at the City Finance Office. All voting aye, motion carried.

#### PURCHASE PRESSURE WASHERS – PUBLIC WORKS

Rux moved, Kraft seconded to approve the purchase of two pressure washers for the Public Works-Utility Division from Palmer Distributing in the amount of \$9,142.00. All voting aye, motion carried.

#### 8<sup>TH</sup> AVENUE NE RECONSTRUCTION

Bunsness moved, Swanson seconded to approve and authorize the City Manager to sign Change Order #1 in the amount of \$23,105.86 and Pay Estimate #5 in the amount of \$77,190.56 to Dahme Construction for work completed on the 8<sup>th</sup> Avenue NE Reconstruction Project (ST-2011-1). Upon roll call, all voting aye, motion carried.

#### 8<sup>TH</sup> AVENUE NE STREET IMPROVEMENTS

Rux moved, Kraft seconded to approve and authorize the City Manager to sign Change Order #4 in the amount of \$7,736.23 and Pay Estimate #6 in the amount of \$41,515.73 to T & R Contracting for work completed on the 8<sup>th</sup> Avenue NE Street Improvements Project (ST-2010-2). Upon roll call, all voting aye, motion carried.

#### ABERDEEN MAIN STREET RESTORATION

Bunsness moved, Campbell seconded to approve and authorize the City Manager to sign Change Order #5, a decrease in the contract amount of \$256.00 and Pay Estimate #10 in the amount of \$23,232.05 to JDH Construction for work completed on the Aberdeen Main Street Restoration Project. Upon roll call, all voting aye, motion carried.

#### PAYMENT REQUESTS

Kraft moved, Bunsness seconded to approve and authorize the City Manager to sign the following payment requests: 1) Pay Estimate #1 – Work on Bell Parking Lot Reconstruction – Lien Transportation in the amount of \$158,155.28; 2) Pay Estimate #2 – Engineering Services for the Elm River Intake Study – Clark Engineering in the amount of \$54,151.77; 3) Pay Estimate #10 – Work on Northwest Holding Pond – B & B Contracting in the amount of \$72,394.87. Upon roll call, all voting aye, motion carried.

#### BILLS

Bunsness moved, Swanson seconded to approve the following audited bills for services, supplies, repairs and maintenance: Northwestern Energy 12,208.21; United Parcel Service 53.46; Dakotacare Administrative Services 29,099.50; Sanford Health 1,850.00; Guardian 39.66; Northern Wireless Communications 102.42; Aberdeen Business

Improvement District 2,815.74; AE2S 17,190.20; JH Larson 443.20; BNSF Railway Co 42,680.44; Ann Marie Vidoloff 6.24; Aberdeen Housing 25.23; Paul Mardian 39.90; Jennifer Podoll 21.39; A.C.S. 87.89; Dakota Conference 39.21; Stuart Gulden 39.84; Olga Greiser 111.48. Upon roll call, all voting aye, motion carried.

#### PAYROLL

Agnitsch moved, Mitchell seconded to approve payroll for the period from October 9, 2011 thru October 22, 2011 and city share of social security, old age and survivor's insurance, retirement and health/life insurance: Wells Fargo 99,339.99; SD Retirement System 59,051.22; Governing Body 3,192.28; City Manager 6,092.31; City Attorney 3,469.60; Finance 13,002.81; HR 6,655.20; Building 380.98; Computer 3,423.63; Planning/Zoning 11,246.40; Engineering 10,200.00; Police 98,356.96; Fire 81,566.98, Jamie Langerock 14.77/hr; Fire Prevention 2,456.00; Housing/Building 4,812.00; Street 22,500.74; Traffic 3,828.00; Solid Waste 17,455.87; Transportation 13,031.56; Library 20,392.77; Parks, Recreation & Forestry 77,430.26, Shyla Balo 8.00/hr, Kemari Blumhardt 8.75/hr, Ashley Gabler 7.75/hr, Kasey Gengler 7.75/hr, Kimberly Klostergaard 8.25/hr, Dawn Lemer 8.50/hr, Tiffany Lundberg 7.75/hr, Paul Moneke 7.75/hr, Rochele Moser 8.50/hr, Brooke Norris 7.75/hr, Teresa Pengilly 8.25/hr, Blair Scoular 8.25/hr, Trisha Strohfus 8.00/hr, Kaitlyn Wright 7.75/hr, Andrew Zephier 7.75/hr, Catherine Zimmerman 8.00/hr; Airport 11,614.98; Pipe 17,401.13; Water Treatment 16,076.26; Meter 3,691.20; Wastewater 16,694.36; Pump 4,687.58. Upon roll call, all voting aye, motion carried.

There being no further business, Bunsness moved, Rux seconded that the meeting be adjourned. All voting aye, motion carried.

Prepared by Mary Campton for the Finance Office. /s/ Karl Alberts, Finance Officer.